

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, FEBRUARY 24, 2010 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Jill Arabe, Andrew Gonzales, Kimberly De Coite (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 2008-026 (PLANT SPECIES REMOVAL & HABITAT RESTORATION)

APPLICANT: Lesley Hill, Caltrans- District 12, 3337 Michelson Drive, Suite 380, Irvine, CA 92612

PROPERTY OWNER: State of California – Caltrans, 3337 Michelson Drive, Suite 380, Irvine, CA 92612

REQUEST: To permit habitat restoration for the Belding's savannah sparrow within a designated environmentally sensitive habitat area (ESHA). The restoration plan is for a period of five years (2010-2015) and includes the removal and maintenance of invasive plant species with the use of mechanized equipment, hand tools, and chemicals.

LOCATION: Approximately 1.0 acre of ESHA (east side of Beach Boulevard, north of Pacific Coast Highway)

PROJECT PLANNER: Jill Arabe

Jill Arabe, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ms. Arabe stated that staff had received no public comments on the item. She stated that staff is recommending that Condition No. 2 be modified to state that any minor changes to the plans be reviewed by the Planning Department and, if necessary, forwarded to the Zoning Administrator.

THE PUBLIC HEARING WAS OPENED.

Jack Kirkorn, 9122 Kahului Drive, stated that he was in favor of the request and asked when the work would commence. Mr. Flynn, with CalTrans, indicated that work would begin around September 1, 2010, and would be completed by mid October. Mr. Kirkorn asked if additional

plant species would be removed from the wetland area. Mr. Flynn showed Mr. Kirkorn the project area on the site plan and stated that all non-native species would be removed from that area. Mr. Kirkorn indicated that an extensive area around 100 ft. north of the project site has a large portion of non-native plant species that are conducive to hiding transients and is also detrimental to the Belding's savannah sparrow. He asked that Caltrans address that area as well.

Mr. Flynn stated that there is a potential secondary concern at the subject site. He stated that water runoff from a nearby property might be flowing onto the site and converting the salt marsh into a fresh water marsh. He stated that possible influx of fresh water might be causing the growth of the non-native plant species in the immediate area. Mr. Flynn stated that this issue is something Caltrans, the California Department of Fish and Game, and the City would need to research and address at a later date.

Mr. Ramos asked Mr. Flynn if he had reviewed the findings and conditions of approval. Mr. Flynn confirmed that he had and that he found them acceptable.

Mr. Ramos asked if all the staging would be onsite or if it would impede coastal access. Mr. Flynn stated that all staging would be onsite and coastal access would not be impeded.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that based on the information provided, he would approve the request as recommended by staff with the staff recommended modification to Condition No. 2.

COASTAL DEVELOPMENT PERMIT NO. 2008-026 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15333 of the CEQA Guidelines, because the project consists of the maintenance and restoration of habitat for wildlife including the revegetation of disturbed areas with native plant species.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-026:

1. Coastal Development Permit No. 2008-026 to permit the removal of nonnative invasive plant species and the installation of native vegetation within an environmentally sensitive habitat area (ESHA), as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following General Plan goals, and policies:

Goal LU 5: Ensure that significant environmental habitats and resources are maintained.

Policy LU 14.1.5: Cooperate with the California Department of Fish and Game, United States Fish and Wildlife Service, and any other appropriate agencies in establishing programs for the protection and, where appropriate, restoration of significant environmental habitats including the Bolsa Chica wetlands, coastal marshes throughout the City and Santa Ana River drainage.

Goal C 7: Preserve, enhance and restore, where feasible, environmentally sensitive habitat areas (ESHAs) in the City's Coastal Zone, including the Bolsa Chica which is within the City's Sphere of Influence.

Policy C 7.1.2: Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

The project consists of the removal of approximately 1.0 acre of nonnative invasive plant species, primarily giant reed (*Arundo donax*), and the installation of native vegetation for habitat restoration and water quality functions. All work will be conducted by a restoration contractor and monitoring biologist as determined by the California Department of Transportation (Caltrans). The project will restore coastal salt marsh by replacing an area disturbed by invasive species with native vegetation which will serve to protect an adjacent salt marsh from potential degradation of its habitat. Plant removal will utilize mechanized equipment such as a front-end loader with a grabbing bucket, hand tools, and agency approved herbicide as determined by the monitoring biologist. The area will be restored using container plants and by hydroseeding. Restoration of the salt marsh will create additional habitat area for the Belding's savannah sparrow, a known inhabitant of the ESHA as indicated in the General Plan's Coastal Element. All proposed work shall be conducted outside of nesting season, which will avoid potential impacts to the ESHA. The project serves as mitigation for the emergency embankment reconstruction project on Pacific Coast Highway.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project occurs on property zoned Coastal Conservation (CC). It consists of the removal of nonnative invasive plant species. The area will be restored with native vegetation and provide a greater habitat area for the Belding's savannah sparrow. The project shall occur outside of nesting season to reduce disturbances to wildlife and vegetation.
3. The subject proposal will not create a demand on infrastructure in a manner that is inconsistent with the Local Coastal Program. The project consists of the removal of approximately 1.0 acre of invasive plant species and replacement with native vegetation. No additional demand for infrastructure is needed beyond what exists onsite. The project is limited to vegetation maintenance and negligible restoration activities.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impact or interfere with any public access or views to coastal resources. The project will improve coastal resources by removing the overgrown invasive plant species and replacing it with vegetation native to the ESHA.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-026:

1. The site plan received and dated December 4, 2008, shall be the conceptually approved design.
2. The plan and activities identified in the draft mitigation and monitoring plan received and dated February 10, 2010, shall be the conceptually approved restoration plan. Minor changes to plans shall be reviewed and approved by the Planning and Building Department.
3. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

THE MEETING WAS ADJOURNED AT 1:45 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, MARCH 3, 2010, AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:kdc